

## State Press on Acquittal of Judge Charles Swayne

(Tallahassee Capital.) The Republican majority in the United States Senate has set the seal of its approval upon the acquittal of Judge Charles Swayne by a partisan vote, after a practical admission on his part that the charges brought against him were true, is a backward step. The Senators concerned have most signally failed to appreciate their opportunity to give force and direction to the growing popular sentiment against the graft evil. They have neglected a chance to contribute a bracing tonic to the national physique. They have, instead, displayed a narrowness of view worthy of ward politicians, and brought the element of cheap and petty politics into the consideration of a question which affects the republic's very existence.

(Monticello News.) Judge Swayne stands acquitted by the United States Senate. The vote stood 49 to 33 on party lines. It is highly significant that, on the count charging improper use of free railroad transportation, the vote was overwhelming—69 to 13. The Senate is jealous of its privileges. How could Senators, occupying seats bought for them by the railroads and other corporations, and with pockets stuffed with franks and passes, do otherwise than inorse the polite grafting of Swayne? In this, let us give the Senate due credit for consistency.

(Sumter County Times.) Just as we feared, a little expected but against our hopes, the United States Senate has acquitted Judge Swayne on every count. The vote was partisan, and was tantamount to a declaration by the Republicans that anything is good enough for the south. The south has put up with such things before and we are strong enough to endure what can't be helped. Any way Congressman Lamar made a valiant fight for the right. He is one man who has made himself known throughout the United States during his first term in Congress, and he is building the foundation for greater achievements.

(Miami Record.) No one expected any other result from the Senate impeachment proceedings than that Judge Swayne would be acquitted. The criticism of a judge or jury for a decision or verdict rendered is never in good taste, and it is seldom warranted, and of course the solemn verdict of the United States Senate is to be respected. But the people of the country will always feel that the charges against Judge Swayne were true, and that he escaped punishment only because he was a Republican official tried before a Republican Senate.

(Gadsden County Times.) Judge Swayne, federal judge of the Northern district of Florida, was acquitted Monday before the United States Senate, after a trial lasting several weeks. In his acquittal not only North Florida suffers a blow, but all right thinking people everywhere, and most of all, the Senate of the United States, where people were once wont to look for justice. It is but another striking illustration that the man in power, be he right or wrong, is the man in power still.

(Madison New Enterprise.) Notwithstanding the verdict of acquittal rendered by the Senate in the Swayne case 99 per cent. of the people of Florida are still of the opinion that he lacks every element of the upright judge. Oh, the pity of partisan politics! It is to be hoped—but not expected—that Swayne will have the decency to resign an office in the state where he is so thoroughly despised.

(Bartow Courier-Informant.) Judge Swayne has been acquitted, and the Republican party has broken another record for thorough whitewashing.

(Palatka Times-Herald.) And Judge Swayne has been acquitted. The Judge is a Republican and the Senate is Republican by a safe majority, so the verdict occasions no surprise.

(Milton Index.) Judge Charles Swayne was acquitted of every charge made against him by a strictly party vote. There were twelve charges, and it took just one hour and twenty-five minutes to do the job.

(Perry Topics.) Judge Swayne has been acquitted of the charges filed against him. This was expected, under the circumstances, and Mr. Billy Lamar doubtless feels that a lot of labor has been lost.

(Jacksonville Times-Union.) Swayne is acquitted, but his precise place in the inaugural parade next Saturday has not yet been determined. There is, however, no doubt whatever as to the Judge's place in the minds of the people of Florida.

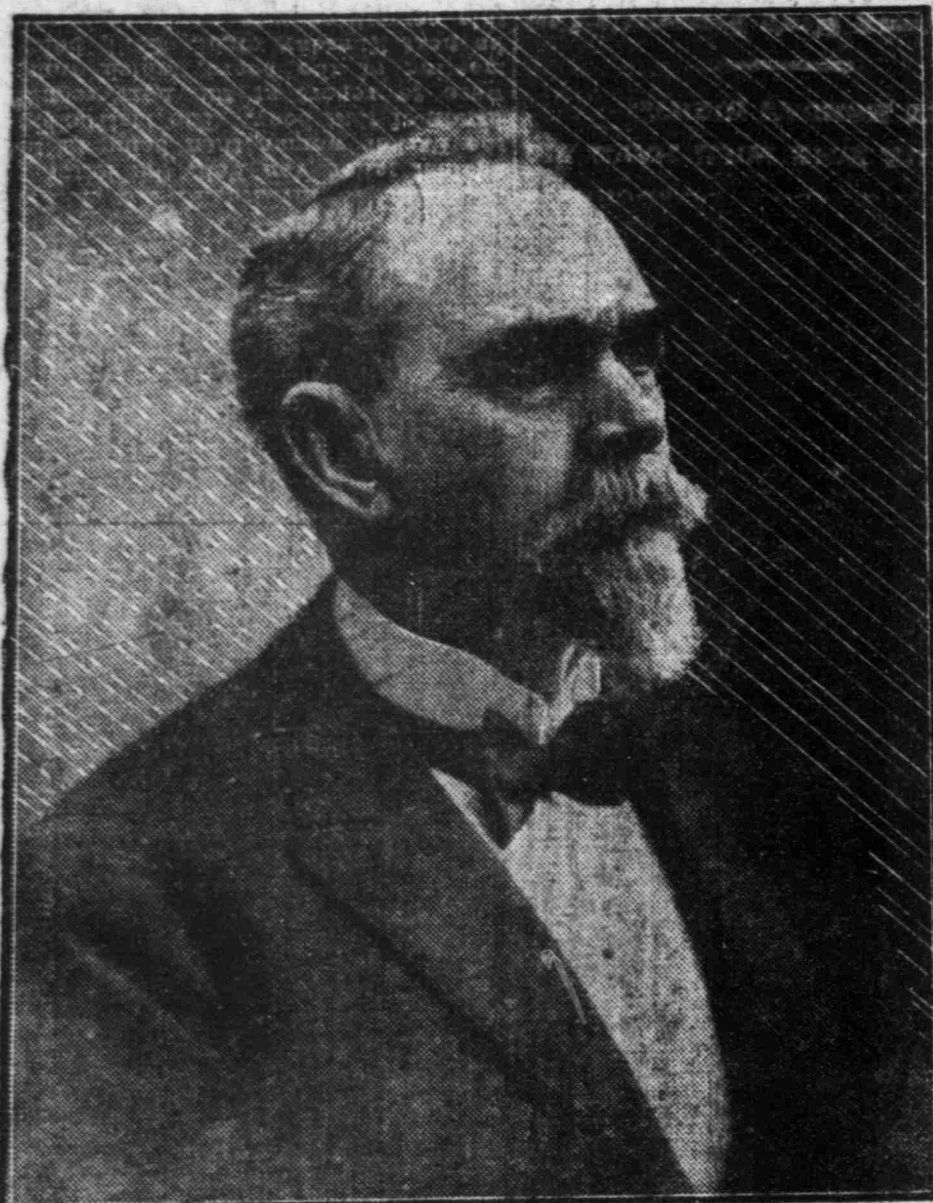
(Tampa Tribune.) A political verdict, in every sense, was the decision of the United States Senate in the case of Judge Charles Swayne. The fact that the Judge is a Republican and that he was appointed by a Republican President outweighed with the Republican majority of the Senate every consideration of guilt or innocence, as developed by the testimony. There was never a weaker defense put up against serious charges than the defense of this Judge. It was a practical admission of all the offenses charged, with a plea that "others do the same thing, therefore Swayne should not be punished." It was clearly proved that Judge Swayne operated a scheme of petty larceny against the Federal Treasury; that he did not reside in his district; that he showed shameful partisanship and partiality in the conduct of his

court; that he accepted courtesies from corporations which were under the judicial supervision of his court; that he sent lawyers to jail on trumped-up charges of contempt, without rhyme or reason; that he was wholly unfit for the high office which he occupied.

But the fact went forth that the Republican Senators must stand by the Republican Judge and the spectacle was presented of a "whitewashing" process conducted by a body which should be above all such little parti-

by setting a precedent or paving a way for all government scoundrels to go unpunished.

The Senate's act was foreseen, and for several days past it has been almost a patent fact that Swayne would have his sins and crimes "whitewashed" by this highest body of American judiciary. In this act, or matter, it differs little to the American public for while it must be admitted that there is good ground for believing that Judge Swayne used his office for purposes and accomplish-



JUDGE CHARLES SWAYNE.

anship. The evidence and the facts were as naught; the triumphant Republican majority stood by its party adherent; Swayne was acquitted on every charge; and the dignity of the Federal Court was sacrificed to save the scalp of an unjust Judge.

It is rumored that Swayne will resign. If he has any self-respect, he surely will resign. Henceforth he will fail to command respect on the bench and the stains on his ermine will continually show forth from under the venter of Republican "whitewash" administered by the over-zealous partisans of the Senate.

(Jacksonville Times-Union.) If it be true, as alleged in defense of Judge Swayne, that a majority—we believe all—the Federal Judges have contracted the habit of taking the maximum sum allotted for expenses, and not the actual expenditures within that sum, what are we to infer? Provided the gross amount taken was actually expended during the period of each service in decent living, there should be no principle involved—far better this than that the Judge accept hospitality from litigants. But if a profit was hoarded from the sum allotted for expenses, then the evil is plain and positive—this would be embezzlement.

(Jacksonville Sun.) If expecting an evil to befall serves to deaden the force of the blow when it does fall, the people of Florida are, in the Swayne case, in the position of the man who was tied to the railroad track just before train time—they knew it was coming.

To the beautitudes put down in holy writ, some one a long time ago added another to fit the conditions of modern civilization. It is: "Blessed are they who expect nothing, for they will not be disappointed."

Applying this to the Swayne case, the people of this state are happy in the poverty of their expectations, for they expected nothing from the senate controlled by the Republican party, when a Republican office-holder was on trial.

But the people of Florida have done well to bring these charges against Judge Swayne, even if the result was a whitewash.

Whitewash is a good disinfectant of germs from decaying animal and vegetable matter; but it is powerless to disinfect the odors arising from bad morals.

Whitewash may cover up the weather stains on a board fence, but it is too thin a wash to hide the black marks that moral delinquencies leave on the character of a man.

Fresh from the vindication granted him by a partisan senate, he will come back to the people who repudiated him, unpurged of the charges that were made against him, which thirty-three good and true men in the United States senate said by their votes were proven.

He will perform his official duties with the knowledge that he holds his office against the wishes of the people among whom his duties call him, and that but few respect him. He had better resign and pass the rest of his days in obscurity, so that people will forget him and his vindication.

(Miami Metropolis.) Judge Swayne has been vindicated by the United States Senate which failed to impeach him upon any one of the twelve charges preferred by the House Judiciary Committee, there-

ments other than intended, there is as much room for the possibility of another or his successor, had he been impeached, proving as corrupt as he in the end. Then, too, Swayne is not the only public servant malfeasing in office, or using it for the purposes of "graft," and unless all can be reached what's the use in turning out a few of the smaller dogs, as it were, and leaving the larger ones to suck the bone without molestation?

Judge Swayne now, according to law, an honorable, fair, and impartial investigation by the United States Senate, stands as an innocent and persecuted man, it is hardly probable that he will care to retain his office and return among those people who charged him with crime, to dispense justice. Such would be a travesty; an act that would hardly be countenanced by those of his intimate friends, and a deed that would prove to be the world his true calvary.

He should resign his office, and no doubt will. It has been said that he pledged himself to this act providing the Senate would defeat the impeachment, but he is not a man who will forever more be an undesired quantity in this state, and the only sane and wise act remaining to his judiciary career will be to get down and out. He can well be spared.

(Tallahassee True Democrat.) A curious phase of Pensacola journalism was presented during the Swayne impeachment trial, when a reporter of the Daily News of that city testified that he had submitted "a mild account" of the contempt proceedings against certain parties in Judge Swayne's court to the judge himself, who thereupon edited the same for publication. This is an entirely new departure in modern newspaper management, and suggests the possibilities of a censorship which, if generally permitted, might become, at least, embarrassing. Upon being asked why he made this statement of facts, comprising public proceedings in an open court, of a "mild" character, the ingenious reporter innocently replied that he was afraid, "if he got it wrong," that the judge might have him up before the court for contempt, or words to that effect—which was certainly a statement rather damaging to the judge.

(DeFuniak Breeze.) The acquittal of Judge Swayne was probably not that the senate did not believe him guilty or that the majority were willing to condone his offenses on account of his political affiliations. We cannot willingly believe that our public men have fallen so low as that, though doubtless politics did have something to do with it. We believe that the real reason lay rather in the fact that the offense was not bad enough to justify in the minds of many of the Senators the severity of the punishment that a verdict of guilty would mean. A verdict of guilty in such cases meaning not much short or imprisonment for life in severity, even though the accused was given no severer direct punishment than a reprimand. Guilty of "high crimes and misdemeanors," would mean loss of citizenship, and an approbrium only exceeded by conviction for treason. It is thought in some quarters that Swayne will resign, and this under existing circumstances is a consummation devoutly to be wished.

(Live Oak Democrat.) Last Monday the impeachment trial of Judge Swayne, of the Federal court of this state, was concluded in the Senate at Washington by the acquittal of the respondent. The result surprised no one, for, although the country was assured at the beginning of the trial that it was to be rigidly impartial and non-partisan, the old Republican instinct for rallying to the rescue of a Northern carpet-bagger under Southern Democratic fire asserted itself before the end came and acquittal was a foregone conclusion. The vote was very nearly along party lines. There were twelve articles of impeachment, the most serious of which were that Judge Swayne made a false certificate of his personal expenses while holding court outside his district; that he caused the private car of a railroad company in the hands of a receiver appointed by him, and that he was not a bona-fide resident of his judicial district. It seems to us that these charges were fully sustained by the evidence, but the Republican majority in the Senate didn't see it that way. Now that the Judge has been "vindicated" and his judicial ermine washed white as snow in the Senate laundry, it will be interesting to see what effect it will have upon him when he gets back on the bench. He was McKinley's gift to Florida and his appointment is said to have been secured by certain large special interests in this state which needed a friend on the Federal bench. A man of finer texture than Judge Swayne, knowing himself to be thoroughly unacceptable to the people of his district, would now that he has secured a Scotch verdict in a political court, tender his resignation and make sure of what is left of his damaged reputation. Perhaps Swayne may do so, but whether he does or not, his name will live in the judicial annals of Florida as that of the "whitewashed" judge who escaped degradation from office because his politics were "right."

(Bradentown Journal.) By the acquittal of Judge Charles Swayne of the Northern District of

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